

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	Case No.: 25 C 2052
v.)	
)	Judge Joan H. Lefkow
)	
CTM TRUCKING, INC.)	Magistrate Judge M. David Weisman
an Illinois corporation)	
JUAN CURIEL, Individually,)	
)	
Defendants.)	

**MOTION FOR JUDGMENT IN SUM CERTAIN
ON COUNT III**

NOW COME the Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, LLP and pursuant to FRCP 55(b)(2) move for judgment in sum certain as stated in this Motion and the supporting Affidavits attached hereto as Exhibits 1 and 2. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on February 27, 2025 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service was made upon CTM TRUCKING, INC., an Illinois corporation on March 29, 2025.
3. Service was made upon JUAN CURIEL, Individually on March 29, 2025.

4. The corporate Defendant failed to Appear, Answer or otherwise plead and the time to do so has expired.

5. Defendant CTM TRUCKING, INC., an Illinois corporation is now in default on Count III of the Complaint and as supported by the attached Affidavits (Exhibits 1 and 2) the sums due on the ERISA audit period April 1, 2023 through June 30, 2024:

\$15,760.75	Welfare
<u>\$13,811.66</u>	Pension
\$29,572.41	Total

WHEREFORE, Plaintiffs pray for:

1. Entry of judgment on Count III in a sum certain against Defendant, CTM TRUCKING, INC., an Illinois corporation and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS PENSION AND WELFARE FUNDS in the amount of \$29,572.41 and all relief permitted under 29 U.S.C. 1132(g)(2) with no just reason for delay in enforcement under FRCP 54(b).

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS PENSION AND
WELFARE FUNDS

s/John J. Toomey
ARNOLD AND KADJAN, LLP
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Dated: April 22, 2025

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
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TRUSTEES OF THE SUBURBAN TEAMSTERS)
OF NORTHERN ILLINOIS WELFARE AND)
PENSION FUNDS,)

Plaintiffs,)

v.)

CTM TRUCKING, INC.)
an Illinois corporation)
JUAN CUIEL, Individually,)

Defendants.)

Case No.: 25 C 2052

Judge Joan H. Lefkow

Magistrate Judge M. David Weisman

AFFIDAVIT

JOSE M. COLIN, upon being first duly sworn deposes and states as follows:

1. Affiant is employed by the Suburban Teamsters Welfare and Pension Funds ("Fund") as the Fund Manager and is familiar with the CTM TRUCKING, INC., an Illinois corporation, audit to determine what amounts if any were due and owing the Funds, and is also familiar with the parties' agreement concerning contributions, liquidated damages and interest owed.

2. A records review was performed on September 28, 2023, June 18, 2024 and July 23, 2024 for the period April 1, 2023 through June 30, 2024 and found to be owing by the Employer as outlined in Counts I and II of the Complaint:

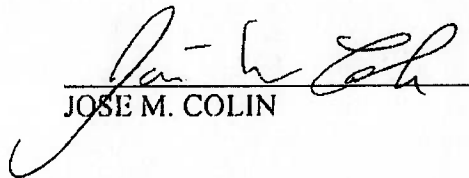
Pension	\$18,873.69
Welfare	\$22,062.25
Total	\$40,935.94

3. A records review was performed on February 21, 2025 for the period July 1, 2024 through January 31, 2025 and found to be owing by the Employer as outlined in Count III of the Complaint:

Pension	\$13,811.66
Welfare	\$15,760.75
Total	\$29,572.41

4. Affiant is above the age of 21, suffers from no disability and has actual knowledge of the above and could so testify.

FURTHER AFFIANT SAYETH NOT.


JOSE M. COLIN

SUBSCRIBED AND SWORN
to before me this 1 day of
April, 2025


Notary Public

